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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

PLANNED PARENTHOOD
FEDERATION OF AMERICA, INC.,
et al.,

Plaintiffs,

v.

CENTER FOR MEDICAL
PROGRESS, et al.,
Defendants.

Case No. 16-cv-00236-WHO

Hon. William H. Orrick, III

**JOINT NOTICE OF APPEAL BY
DEFENDANTS SANDRA SUSAN
MERRITT, ALBIN RHOMBERG &
TROY NEWMAN**

Action Filed: Jan 14, 2016

Date of Order Appealed: December 5, 2023

Defendants Sandra Susan Merritt, Albin Rhomberg, and Troy Newman hereby notice their appeal to the Ninth Circuit Court of Appeals of this Court's Order on Motion for Relief from Final Judgment (dkt. 1211), entered on December 5, 2023. This is not a cross appeal, and previous appeals include appeal case numbers 21-15124, 20-16773, 20-16070, 20-16068, and 18-00696. Co-Defendants Biomax Procurement Services, LLC, Center for Medical Progress, David Daleiden, and Gerardo Adrian Lopez filed their Notice of Appeal of this Court's Order on December 22, 2023, which has been docketed as No. 23-4398. This appeal is timely because Defendants Merritt, Rhomberg, and Newman filed this Notice with 14 days of Co-Defendants' Notice of Appeal. *See* Fed. R. App. P. 4(a)(3) (providing that if one party timely files a notice of

1 appeal, any other party may file a notice of appeal within 14 days after the date when the first
2 notice was filed, or within the time otherwise prescribed by this Rule 4(a), whichever period ends
3 later).

4 **REPRESENTATION STATEMENT**

5 Pursuant to Ninth Circuit Rule 3-2(b), Defendants identify the following parties to this
6 action and their respective counsel:

7 1) Defendant/Appellant **Sandra Susan Merritt**, represented by:

8 Horatio G. Mihet
9 Liberty Counsel
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11 Defendant/Appellant **Albin Rhomberg**, *pro se*:

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Tel: (916) 662-1852

15 Defendant/Appellant **Troy Newman**, represented by:

16 Christina A. Compagnone
17 John A. Monaghan
18 AMERICAN CENTER FOR LAW & JUSTICE
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Tel: 202-546-8890

20 Jenny Dione Baysinger
21 Vladimir J. Kozina
22 MAYALL HURLEY P.C.,
112 S. Church Street
Lodi, CA 95240
Tel: 209-477-3833

23 2) Plaintiffs/Appellees Planned Parenthood Federation of America, Inc.; Planned
24 Parenthood: Shasta-Diablo, Inc. dba Planned Parenthood Northern California;
25 Planned Parenthood Mar Monte, Inc.; Planned Parenthood of the Pacific Southwest;
26 Planned Parenthood Los Angeles; Planned Parenthood/Orange and San Bernadino
27 Counties, Inc.; Planned Parenthood California Central Coast; Planned Parenthood
Pasadena and San Gabriel Valley, Inc.; Planned Parenthood of the Rocky
28 Mountains; Planned Parenthood Gulf Coast; and Planned Parenthood Center for
Choice, represented by:

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3) Other defendants in the district court action:

**Defendants Center for Medical Progress, BioMax Procurement Services, LLC,
David Daleiden, and Gerardo Adrian Lopez, represented by:**

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1 Dated: January 5, 2024

Respectfully submitted:

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CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2024, I filed the foregoing Joint Notice of Appeal electronically through the CM/ECF system, which effected service upon all counsel and parties of record.

/s/ Horatio G. Mihet

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